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To:	Examiner Elizabeth M. Cole	USPTO Art Unit 1771	703-872-9310
Subject:	Appln. No. 10/021,637 filed December 12, 2001 (Confirmation No. 9235)		

From:	Ralph H. Dean, Jr.	Page:	1 of 5
Dept:	Patent	Date:	September 15, 2003
Loc	Roswell, GA	Time:	1:15 PM

Transmitted herewith are the following:

--4 pages of Request for Reconsideration in response to the Office Action mailed June 13, 2003.

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In the United States Patent and Trademark Office

Applicants:	Keck et al.	Docket	15982
Serial No.:	10/021,637	Group:	1771
Confirmation No:	9235	Examiner:	Elizabeth M. Cole
Filed:	December 12, 2001	Date:	September 15, 2003
For:	Cleaning Sheet, System and Apparatus		

Request for Reconsideration

Mail Stop Non-Fee Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.111 and in response to the Office Action mailed June 13, 2003, the following remarks are submitted for the Examiners consideration.

Remarks

Claims 1-8, 10-12, 28, 29 and 35 were rejected under 35 U.S.C. 102(b) as being anticipated by Midkiff et al., U.S. Patent No. 5,707,735. Applicants respectfully traverse this rejection.

Before addressing this rejection, Applicants believe that it would be beneficial to describe the claimed invention. Applicants claimed invention is directed to a cleaning sheet which is used to clean an article or surface. The cleaning sheet of the present invention has the ability to pick-up and retain dirt, dust and/or other debris within the structure of the sheet. The nonwoven web of the claimed cleaning sheet is prepared from multicomponent, multilobal filaments. The filaments have a plurality of raised lobal regions separated by depressed regions. An additional feature of the present invention is that there are voids between the filaments which allow the structure of the cleaning sheet to pick-up and retain dirt, dust and/or debris.

Turning to Midkiff et al. is directed to a multilobal conjugate (multicomponent) fiber and nonwoven web prepared therefrom. The fibers of Midkiff et al. have a shape such that the lobes have legs and a cap, as is shown in the figures. The nonwoven fabrics of Midkiff et al. are described as being useful in air filtration applications and in personal care products. Midkiff et al. does not disclose that the nonwoven web may be used as a cleaning sheet.

To satisfy the cleaning sheet limitations of the claims, the Examiner states that column 1, lines 19-22 state that the nonwoven web may be used as a towel. Applicants point out that lines 19-22 of column 1 of Midkiff et al. are a general statement regarding the uses of prior art nonwoven webs. Midkiff et al. does not disclose that the described nonwoven web can be used a cleaning sheet, or even suggest that the nonwoven web would have utility as a cleaning sheet.

In order for a claim to be anticipated by a reference, all the limitations of the claim must be taught by the reference. Given that Midkiff et al. does not teach that the fabric prepared from the fibers can be used as a cleaning sheet having dust, dirt and debris pick-up and retention, Midkiff et al. fails to anticipate claims 1-8, 10-12, 28, 29 and 35.

Claims 9, 13-20, 31 and 36 were rejected under 35 U.S.C. 103 as being unpatentable by Midkiff et al., U.S. Patent No. 5,707,735. Applicants respectfully traverse this rejection.

In the statement of the rejection, the Examiner correctly acknowledges that Midkiff et al. does not disclose the density of the nonwoven web. The Examiner further acknowledges that Midkiff et al. does not teach that other fibers such as pulp fibers (claim 13) or the addition of monolobal filaments with the multicomponent multilobal filaments. The Examiner finds, however, that column 12 of Midkiff et al. provides motivation to add different types of fibers to the multicomponent, multilobal filaments.

With respect to the density, the Examiner finds that one skilled in the art, through routine experimentation would be able to select a density for the appropriate use of the fabric. While this may be true, Midkiff et al., as stated above, does not teach that the nonwoven web has utility as a cleaning sheet. Therefore, one skilled in the art would not be motivated to experiment to find the appropriate density for the nonwoven web so that the nonwoven web can be used as a cleaning sheet.

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With respect to the addition of other types of fibers, Applicants agree that Midkiff et al. suggest that other types of fibers may be added to the multicomponent, multilobal filaments. But Midkiff et al. fails to teach that pulp fibers or monolobal filaments should be added. The Examiner merely makes a general statement one skilled in the art incorporated other fibers to adjust the properties of the web, but gives no specific reasons for adding pulp fibers or monolobal filaments or monolobal component filaments. No motivation is supplied by the Examiner why one skilled in the art would add the additional fibers to a cleaning sheet, especially in view of the fact that Midkiff et al. does not teach that the nonwoven web can be used as a cleaning sheet.

In order for a claim to be rendered obvious, the invention as a whole, including all of the limitations of the claims, must be taught by the prior art relied upon by the Examiner. Again, it is pointed out that Midkiff et al. does not teach or suggest that the nonwoven web of their invention has utility as a cleaning sheet, and that the cleaning sheet would pick-up and retain particles under normal cleaning conditions. Therefore, Applicants respectfully request that the Examiner withdraw this rejection.

Claims 21-27, 31 and 37 were rejected under 35 U.S.C. 103 as being unpatentable by Midkiff et al., U.S. Patent No. 5,707,735, in view of Braun, U.S. Patent No. 4,778,460. Applicants respectfully traverse this rejection.

In the statement of rejection, the Examiner acknowledges that Midkiff et al. does not teach a multi-layer laminate. To remedy this deficiency the Examiner relies upon Braun. Braun does teach a laminate of multilobal fibers and one layer of other fibers. However, Braun does not teach the use of multicomponent multilobal fibers. Further, Midkiff et al. does not teach that the nonwoven described has utility as a cleaning sheet. Therefore, even if one skilled in the art combined the teachings of Braun with Midkiff et al., the present claimed invention is not derived from the teachings of the reference. That is, the references do not teach a cleaning sheet having multicomponent multilobal filaments.

Claims 32-33 and 38-40 were rejected under 35 U.S.C. 103 as being unpatentable by Midkiff et al., U.S. Patent No. 5,707,735, in view of Lin, U.S. Patent No. 5,280,664. In addition, claims 32-33 and 38-40 were rejected under 35 U.S.C. 103 as being unpatentable by Midkiff et al., U.S. Patent No. 5,707,735, in view of Braun, U.S. Patent No. 4,778,460, and Lin, U.S. Patent No. 5,280,664. Applicants respectfully traverse this rejection.

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Applicants have grouped these rejections together since the same issues are present. Lin is relied upon to teach that it is known in the art to place a cleaning sheet on a handle. But as stated above, Midkiff et al. does not suggest that the nonwoven web may have utility as a cleaning sheet. Therefore, one skilled in the art would not have been motivated to place the nonwoven of Midkiff et al. on a handle in order to use the nonwoven web as a cleaning sheet. Therefore, the critical aspect missing from this rejection is the fact that Midkiff et al. fail to teach that the nonwoven web described therein has utility as a cleaning sheet.

Finally, Applicants wish to point out to the Examiner the results shown in the Examples of the specification. As can be seen, the cleaning sheet of the present invention is superior to commercially available cleaning sheets in the area of particle capture and retention. This result is not suggested in the prior art.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: 770-587-7204.

Respectfully submitted,

KECK ET AL.

By: 

Ralph H. Dean, Jr.

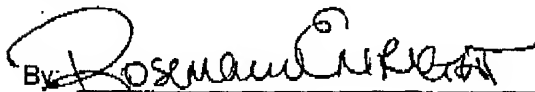
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Attorney for Applicant(s)

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By: 

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